

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

-against-

ROBERT MENENDEZ et al.,

Defendants.

Case No. S2 23-cr-490 (SHS)

NOTICE OF PRETRIAL MOTIONS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of Avi Weitzman, and the Declaration of Adam Fee and Exhibits attached thereto, Defendant Senator Robert Menendez will and hereby does respectfully move this Court, before the Honorable Sidney H. Stein, United States District Judge, in Courtroom 23A at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, on a date and time to be designated by the Court, pursuant to Federal Rules of Criminal Procedure 12, 14(a), and/or 21(b), for an Order (1) dismissing the Second Superseding Indictment (“Indictment”) for improper venue or, in the alternative, transferring this matter to the District of New Jersey in the interests of justice; (2) dismissing the Indictment as improperly duplicitous, or, in the alternative, requiring a special jury verdict form; and (3) severing the trial of Senator Menendez from the trial of his co-defendants.

PLEASE TAKE FURTHER NOTICE that, by Order of the Court (ECF No. 112), any opposition papers shall be filed on or before February 5, 2024, and any reply papers shall be filed on or before February 12, 2024.

Dated: January 15, 2024

Respectfully submitted,

By: /s/ Adam Fee

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